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July 31, 1991

* ADMITTED VA ONLY

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JUL 31 1991

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

BY HAND DELIVERY

Ms. Donna Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

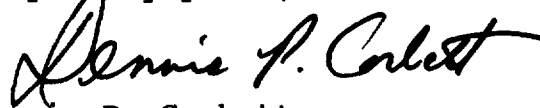
Re: File No. BPH-910213ME
Bethany Beach, Delaware

Dear Ms. Searcy:

On behalf of Jeffery Scott, applicant for a construction permit for a new FM station on Channel 278A at Bethany Beach, Delaware, I am transmitting herewith in triplicate notification from the Federal Aviation Administration that Scott's technical proposal, as amended, will not constitute a hazard to air navigation.

Should there be any questions concerning this matter, please contact the undersigned.

Very truly yours,



Dennis P. Corbett

DPC:kb
Enclosures

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AUG 01 1991
FM EXAMINERS

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JUL 31 1991



US Department
of Transportation

Federal Aviation
Administration

AUG 1 3 00 PM '91

AUDIT SERVICES
Eastern Region

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Fitzgerald Federal Building
John F. Kennedy
International Airport
Jamaica, New York 11430

ACKNOWLEDGEMENT OF NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

CITY	STATE	LATITUDE/LONGITUDE	MSL	AGL	AMSL
MILLVILLE	DE	38-34-21.00 075-06-58.00	5	345	350

JEFFREY SCOTT
RUBIN, BEDNAREK & ASSOCIATES
1350 CONNECTICUT AVE., NW, STE 610
WASHINGTON, D.C. 20036

AERONAUTICAL STUDY
No: 91-AEA-0974-OE

Type Structure: ANTENNA TOWER 103.5 MHZ 3 KW ERP ONLY

The Federal Aviation Administration hereby acknowledges receipt of notice dated 06/27/91 concerning the proposed construction or alteration contained herein.

A study has been conducted under the provisions of Part 77 of the Federal Aviation Regulations to determine whether the proposed construction would be an obstruction to air navigation, whether it should be marked and lighted to enhance safety in air navigation, and whether supplemental notice of start and completion of construction is required to permit timely charting and notification to airmen. The findings of that study are as follows:

The proposed construction would not exceed FAA obstruction standards and would not be a hazard to air navigation. However, the following applies to the construction proposed:


The structure should be obstruction marked and lighted per FAA Advisory Circular AC 70/7460-1, 'Obstruction Marking and Lighting'. CHAPTERS: ~~X~~-3 ~~X~~-4 ~~X~~-5 []-6 []-7 []-8 ~~X~~-9.

Supplemental notice is required at least 48 hours before the start of construction and within five days after construction reaches its greatest height (use the enclosed FAA form).

This determination expires on 01/22/92 unless application is made, (if subject to the licensing authority of the Federal Communications Commission), to the FCC before that date, or it is otherwise extended, revised or terminated.

If the structure is subject to the licensing authority of the FCC, a copy of this acknowledgement will be sent to that Agency.

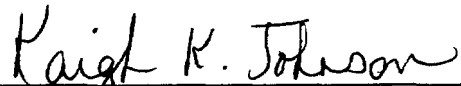
NOTICE IS REQUIRED ANYTIME THE PROJECT IS ABANDONED OR THE PROPOSAL IS MODIFIED

SIGNED  Specialist, Systems Management Branch
Frank T. Jordan (718) 917-1230/1228
ISSUED IN: Jamaica, New York ON 07/23/91

CERTIFICATE OF SERVICE

I, Kaigh K. Johnson, do hereby certify that a copy of the foregoing "Petition For Leave To Amend" was mailed, United States first-class postage prepaid, this 2nd day of July, 1991 to the following:

Stephen Diaz Gavin, Esq.
Besozzi & Gavin
1901 L Street, N.W.
Suite 200
Washington, D.C. 20036
Counsel for Eicher Communications, Inc.



Kaigh K. Johnson